

City Planning Department



Memo

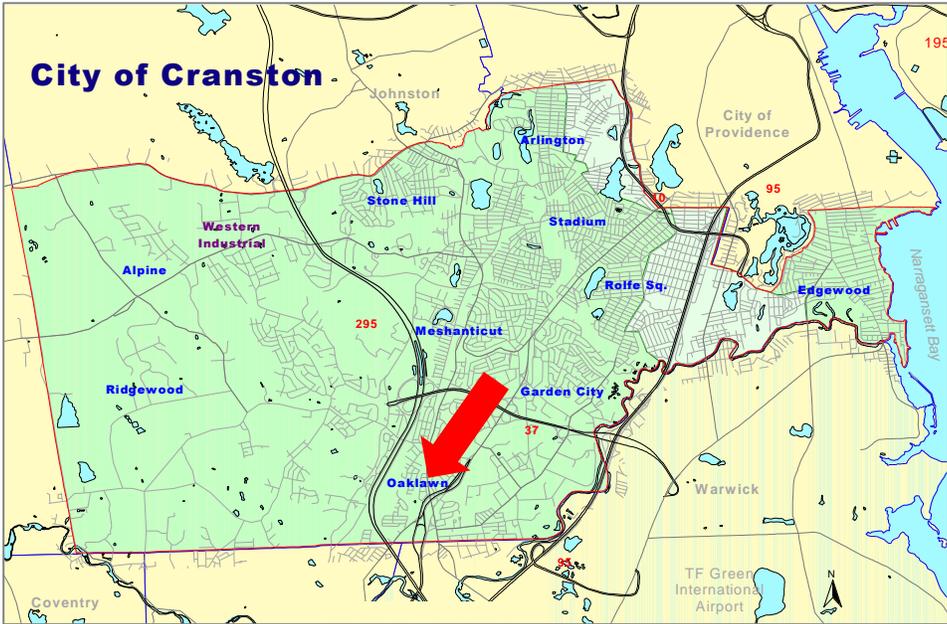
To: Cranston City Plan Commission
From: Doug McLean, AICP – Principal Planner / Administrative Officer
Date: December 3, 2021
Re: **“Pelli Minor Subdivision” - Minor Subdivision without street extension - Preliminary Plan**

Owner/App: Edward Pelli / Universal Realty, LLC
Location: 1365 New London Avenue, AP 18, Lot 1026
Zone: A-8 (Single-Family Dwellings on 8,000 ft² Lots)
FLU: Single-Family Residential 7.26 to 3.64 Units/Acre

I. Proposal

The applicant proposes to subdivide an existing lot comprising 124,488 ft² into two lots; Parcel A (16,782 ft²) and Parcel B (107,706 ft²). There is one (1) existing single-family dwelling on the property that will be left on Parcel A. This subdivision will require relief for lot frontage (Parcel B), and a setback encroachment for the existing dwelling and existing in-ground pool (Parcel A). Both lots would be serviced by public water and sewer.

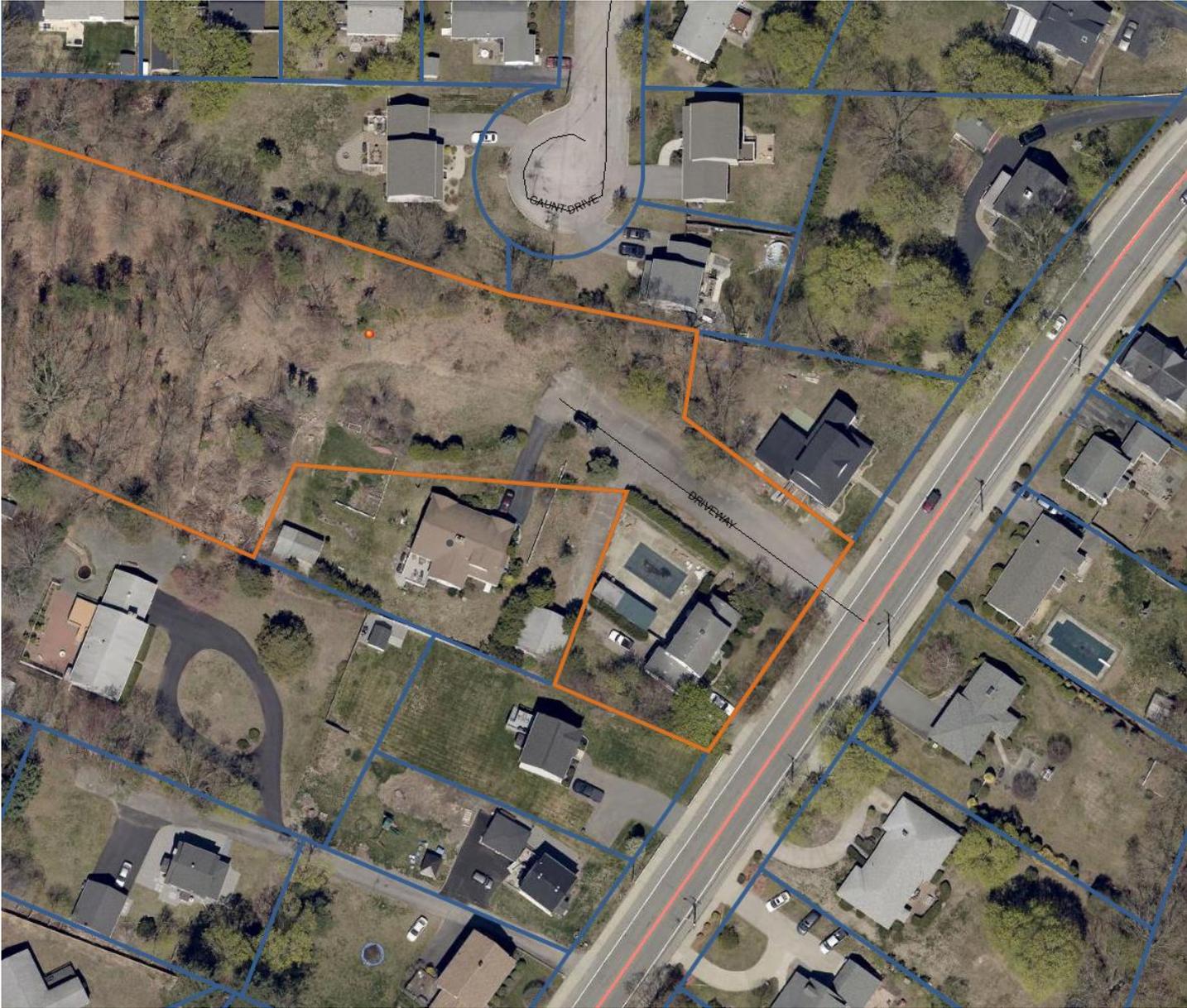
LOCATION MAP



NEIGHBORHOOD AERIAL
(subject parcel in orange, 400 ft. radius in black)



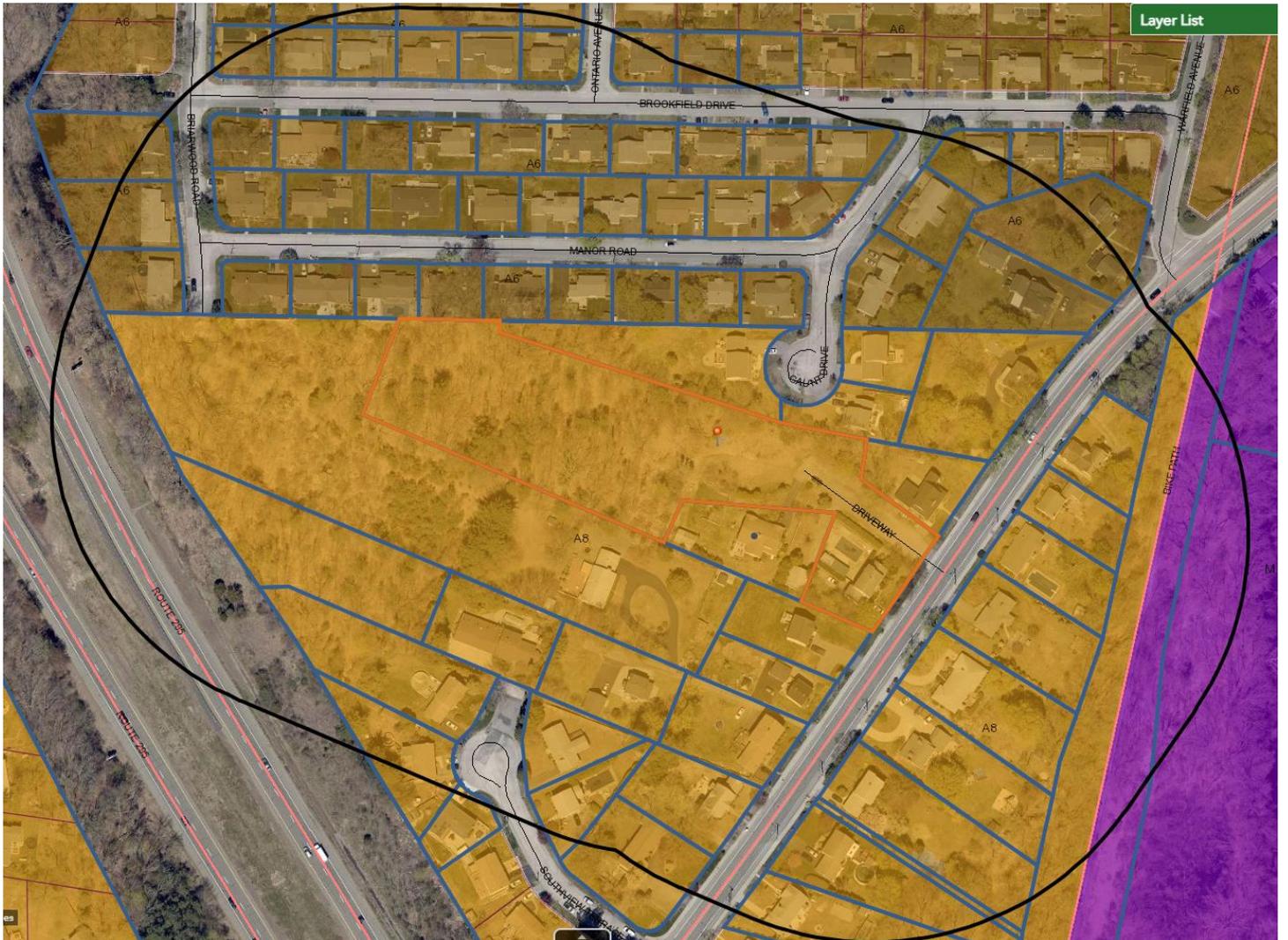
PARCEL AERIAL



STREET VIEW (New London Ave)



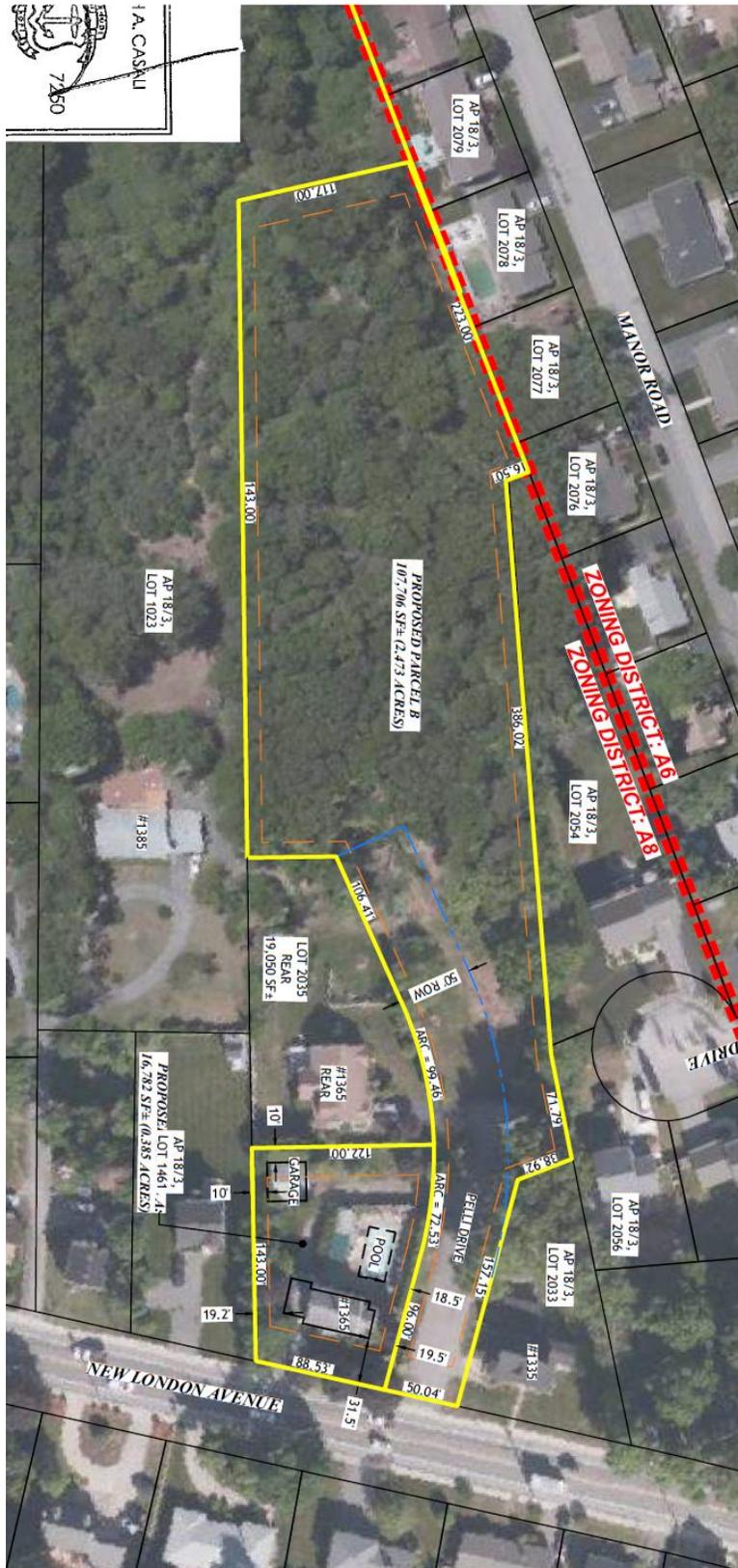
ZONING MAP



FUTURE LAND USE MAP



SITE PLAN



II. Documents which are part of the application

1. Application Form signed by Rudolph Procaccianti and Edward Pelli
2. Filing fees;
3. Preliminary Plan Checklist completed by William Lavery of Casali Engineering;
4. Minor Subdivision plan entitled "Pelli Minor Subdivision" with a last revised date of Nov. 2021 prepared by Joseph Casali, P.E.;
5. Project Narrative;
6. 100' radius map, list of abutters and signed Certificate of Notice;
7. Certificates of Municipal Liens for each subject lot.

III. Surrounding land use and context

Analysis using the City of Cranston Geographic Information System indicates that:

1. The subject parcel is located in East of I-295 in the south central area of Cranston.
2. The surrounding single-family residential neighborhood (400-foot radius) is primarily comprised of A-8 and A-6 zoned parcels.
3. The surrounding single-family residential neighborhood (400-foot radius) is primarily designated as Single Family Residential 7.26 to 3.64 units per acre.
4. The project is free of wetlands and outside of any regulated floodplains or historic/cultural districts.
5. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

IV. Interests of Others

Staff has not received any comments at this time.

V. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department / Engineering Division, the Traffic & Safety Bureau, the Building and Inspections Department, the Fire Department and the Conservation Commission.

No comments were received at this time.

VI. Planning Analysis

The applicant proposes to subdivide the existing single lot comprising 124,488 ft² lot into two lots, Parcel A (16,782 ft²) and Parcel B (107,706 ft²). There is 1 existing single-family dwelling on the property that will be left on Parcel A. This subdivision will require relief for lot frontage (Parcel B), and a setback encroachment for the existing dwelling and existing below ground pool (Parcel A).

Staff analysis and context and of the requested variance will be addressed through a separate memo also dated 12/3/21.

Staff has no concerns with the immediate subdivision proposal as it does not create any new development. This subdivision is intended to remove an existing house from the larger parcel of land (Parcel B) as a means to prepare for a future subdivision application on the vacant, developable land behind the house. The potential for a future subdivision of the larger parcel been informally discussed with staff but no specific details have been proposed at this time. Any issues associated with the future development of this land should be handled through a review of such a proposal if and when those details are submitted to the City. There is an existing private right-of-way/easement shown on the plan that provide usable access to the dwelling located on AP 18, Lot 2035 that is located directly behind the dwelling on the subject parcel. This private right-of-way/easement will be held and maintained on the land to ensure no changes are made to reduce property access as a result of this subdivision.

VII. Waivers

No waivers have been requested.

VIII. Findings of Fact

An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified first class mail prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

1. The proposal is consistent both in terms of land use and density with the Comprehensive Plan Future Land Use Map allocation of Single Family Residential 7.26 to 3.64 units per acre.
2. Although no new development is being proposed in association with this subdivision, it still technically provides a potential opportunity to create infill development in Eastern Cranston, which is consistent with the Comprehensive Plan land use and housing policies.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.”

3. The applicant is requesting zoning relief for lot frontage (Parcel B), and a setback encroachment for the existing dwelling and existing below ground pool (Parcel A). This subdivision decision includes a condition of approval that the project must receive zoning relief from the Zoning Board of Review. If said relief is granted, the project will be in compliance with the City's zoning ordinance.

4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.”

5. There is no new development being proposed in association with this subdivision, therefore no negative environmental impacts are anticipated.
6. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.
7. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

8. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”

9. The properties in question will have adequate permanent physical access on New London Avenue, a public roadway within the City of Cranston.

IX. Recommendation

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-60 as well as with the City of Cranston’s Subdivision and Land Development Regulations. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Preliminary Plan application, subject to the condition denoted below.

X. Condition of approval

1. The applicant shall receive approval for all required relief from the Zoning Board of Review prior to submission of the Final Plan application.